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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,336	07/11/2003	Ulf STEFANSSON	6730.054.PCUS00	1335
28694 7590 11/20/2007 NOVAK DRUCE & QUIGG, LLP 1300 EYE STREET NW SUITE 1000 WEST TOWER WASHINGTON, DC 20005			EXAMINER PATEL, VISHAL A	
			ART UNIT 3676	PAPER NUMBER
			MAIL DATE 11/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/604,336	Applicant(s) STEFANSSON, ULF	
	Examiner Vishal Patel	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/6/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 and 20 rejected under 35 U.S.C. 102(b) as being anticipated by Horvath (US. 3,643,968).

Horvath disclose a sealing strip having a width (width shown in figure 6) along its length (length is circumferential or annular), width shown in figure 6 in cross-section, the sealing strip made of substantially incompressible material (this is the case since the soft material is prevented from compressing by the hard material of 30), the sealing strip having a solid cross-section (see figure 6), the sealing strip having a top surface (surface of 32) and a bottom surface (surface of 34 opposite of 32), plurality of protrusions (protrusions 36) each having a recess (35) that is a lead through from a top surface (top surface of 36) and a bottom surface (bottom surface of 36) of the protrusion. The height of the protrusion is smaller than the height of the sealing strip (figure 6). The protrusions are between the upper surface and the bottom surface (see figure 6).

3. Claims 1-2, 4-11 and 13-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hammi (US. 6,761,360).

Hammi discloses a component assembly comprising a first component part (152b) and a second component part (152a), and a sealing strip (10"), which is designed to be inserted into a groove (groove similar to 120) being present on the first component part, wherein the sealing

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strip exhibits a substantially constant width (width of 52a") along the main portion of its length (length similarly shown in figure 4), the sealing strip having plurality of protrusions (protrusions 46a" and 46b") that has a recess (recess near 40 and recess near 38), the protrusion having an inner surface that has a radius (radius of 46a"), the protrusions having an outer surface that has a radius (radius of 46b" and 60" which is large due to the surface being flat), the sealing strip having a lower delimitation surface (33"), the sealing strip having an upper delimitation surface (surface 52a"), the protrusions having an upper delimitation surface (top surface that contacts 152b) and a lower delimitation surface, the protrusions having a height that is smaller than a height of the sealing strip, the groove and the sealing strip are designed in an endless way and the sealing strip and the groove are designed with a longitudinal direction varying in three dimensions. The recess is designed as a lead through (this is the case since the groove is continuous and not ever blocked).

4. Claims 1, 4-9, 10, 13-19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sumitomo (B1 of form 1449, see attached figure).

Sumitomo discloses a component assembly having a first part, a second part and a sealing strip, the sealing strip being placed in a groove of the first part, the sealing strip having a width, length and height, the sealing strip having plurality of protrusions (protrusions 22), the protrusions having a top surface and bottom surface (top and bottom surface of 22 that face 17 and 19), the protrusions being placed in a recess adjacent to the groove, the protrusions having a height (height of protrusion that is received in the recess) and the height being between the top and bottom surfaces. The protrusions having an inner surface (inner surface adjacent to 17a)

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having a curvature (curvature of surface of the protrusion facing 20) and an outer surface (surface facing toward 13). The protrusions having recesses (recesses on both sides of 21).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumitomo (B1 of form 1449). If applicant does not considers that the recesses are formed on both sides of 21, the following rejections applies.

Sumitomo discloses a component assembly having a first part, a second part and a sealing strip, the sealing strip being placed in a groove of the first part, the sealing strip having a width, length and height, the sealing strip having plurality of protrusions (protrusions 22), the protrusions having a top surface and bottom surface (top and bottom surface of 22 that face 17 and 19), the protrusions being placed in a recess adjacent to the groove, the protrusions having a height (height of protrusion that is received in the recess) and the height being between the top and bottom surfaces. The protrusions having an inner surface (inner surface adjacent to 17a) having a curvature (curvature of surface of the protrusion facing 20) and an outer surface (surface facing toward 13).

Sumitomo discloses the invention substantially as claimed above but fails to disclose that the protrusion having a lead through the upper and lower surfaces. Nathan discloses a sealing strip having a width, length and height. The sealing strip having protrusions (15). The

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protrusions being solid and extending from a side of the sealing strip (figure 1). The sealing strip having protrusion (15a) being hollow (as shown in figure 3). The reason of being hollow is to provide self-energizing protrusions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the protrusion of Sumitomo to have lead through or make hollow as taught by Nathan, to provide solid protrusion or hollow protrusion is considered to be art equivalent and furthermore to having hollow protrusion make the protrusions self energizing (column 3, line 22).

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicants' argument that Horvath does not disclose a solid cross-section is not persuasive because this is clearly shown in figure 6.

Applicants' argument that Horvath does not disclose a sealing strip that is made of **substantially** incompressible material is not persuasive because applicant has claimed substantially incompressible material. Furthermore the strip is made of two materials and is incompressible due to the hard material 30 that surrounds the soft material and does not let the strip be compressed.

Applicants' argument that Hammi are not persuasive because Hammi teaches in short a sealing strip having plurality of protrusion having recesses. Furthermore applicant has not specified where the recesses are in the protrusion and how they relate structurally, hence Hammi teaches all the structural limitations of the claims.

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Applicants' argument that Hammi discloses a single protrusion is not persuasive because Hammi discloses at least two protrusions and at least two recesses (see rejection above).

Applicants' argument to Sumitomo is not persuasive because Sumitomo does disclose recesses (recesses on each side of 21 as shown in figures 2 and 6) on the protrusion.

Applicants' argument that by combining Sumitomo and Nathan the protrusion would allow the sealing strip to pull out of the channel 22 is not persuasive because the size of the protrusion is the same but to provide some resiliency and spring back action one would provide the lead through the protrusion. Furthermore combining the references would provide a protrusion with a size of Sumitomo and having a lead through as taught by Nathan would provide easy insertion and spring back action to prevent the protrusion from dislodging from the channel 22 of Sumitomo.

Applicants' argument to hindsight is not persuasive because as stated in Nathan to have a lead through a protrusion provides self-energizing protrusions (15a).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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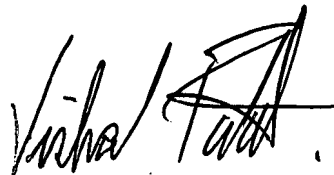
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is 571-272-7060. The examiner can normally be reached on 6:30am to 8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer H. Gay can be reached on 571-272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP
October 31, 2007

A handwritten signature in black ink, appearing to read 'Vishal Patel', with a stylized flourish at the end.

Vishal Patel
Patent Examiner
Tech. Center 3600